UNITED
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Security Council

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S/1999/610
26 MAY 1999
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 26 MAY 1999 FROM THE CHARGÉ D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF IRAQ TO THE UNITED NATIONS
ADDRESSED TO THE SECRETARY-GENERAL

Further to the letter dated 19 May 1999 from the Minister for Foreign Affairs of Iraq addressed to you (S/1999/580, annex), I wish to bring it to your attention that on 18 May 1999 a number of Turkish fighter aircraft violated Iraq's national airspace in the Baibo, Aqrah and Amadiyah areas. Four sorties were flown, each one by a formation consisting of two aircraft of the F-16 or F-4 type.

The Government of Iraq condemns in the strongest terms the violation of its airspace by the Turkish Air Force, and it calls upon the Turkish Government to desist from any repetition of practices that are incompatible with relations of good neighbourliness and the principles of international law and of the Charter of the United Nations. The Government of Iraq further rejects outright the pretexts advanced by Turkey to justify such violations in northern Iraq, given that the alleged pursuit of elements that pose a threat to Turkish national security does not make it legitimate for Turkey to pursue a policy that is entirely at odds with its declared commitment to the sovereignty and territorial integrity of Iraq.

Turkey's distress is fundamentally due to the persistence of the anomalous situation that was created in the area by the United States and the United Kingdom in cooperation with the Turkish Government itself.

The Government of Iraq reserves the right to seek compensation for the damage caused by these unlawful actions, it renews its call to the Government of Turkey to put a halt to operations that violate Iraq's sovereignty and place its security and integrity in great jeopardy, and it urges Turkey to give concrete expression to its professed respect for the norms of good neighbourliness between States.

As I express the hope that the United Nations will fulfil its responsibilities as stipulated in the Charter and will halt the constant intimidation and aggression to which my country is being subjected, I request you to do your utmost to urge the Turkish Government to comply with the norms enshrined in the Charter of the United Nations and in international law.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Rokan Hama AL-ANBUGE
Chargé d'affaires a.i.

UNITED NATIONS **S**

Security Council

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26 May 1999

ORIGINAL: ENGLISH

LETTER DATED 26 MAY 1999 FROM THE PERMANENT REPRESENTATIVE OF ERITREA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to forward a statement issued on 26 May 1999 by the Minister for Foreign Affairs of the State of Eritrea, Haile Weldensae, concerning Ethiopia's accusations regarding Eritrean involvement in Somalia (see annex), which are only intended to serve as a smokescreen for Ethiopia's long-standing and escalating armed intervention in Somalia to forward its own expansionist and hegemonist goals.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Haile MENKERIOS
Ambassador
Permanent Representative

Annex

Statement issued by the Minister for Foreign Affairs of Eritrea on 26 May 1999

Ethiopia's wanton acts of destabilization in Somalia

In a letter dated 14 May 1999 addressed to the President of the Security Council (S/1999/563, annex), the Acting Minister for Foreign Affairs of Ethiopia accuses Eritrea of embarking on a "large-scale military activity of destabilization in Somalia". He further states that Eritrea is guilty of violating Security Council resolution 733 (1992) through its shipment of arms to one of the warring factions.

The audacity of the Ethiopian regime in levelling these hypocritical accusations against Eritrea is not surprising. Indeed, it has now become common practice for the leadership in Addis Ababa to flagrantly violate fundamental principles of international law - whether it is in acts of brazen aggression, human rights violations or blatant incursions against neighbouring countries - and then accuse its victims for the very transgressions that it is guilty of in a pre-emptive, if transparent, manner.

What are the true facts as far as Somalia is concerned?

Somalia has long been a victim of repeated Ethiopian incursions, as well as manipulative acts of training and arming different warring factions at different times. Indeed, in violating the territorial sovereignty of Somalia under the pretext of containing "the threat from terrorist groups", the Addis Ababa regime continues to carry out periodic military aggression against Somalia. The real purpose is, however, to project power so as to dictate events in Somalia.

Since January this year alone, Ethiopia has launched several major incursions into Somalia. The Addis Ababa regime conducted military operations in the areas of Luuq, Gedo and Dolo in January and carried out repeated incursions in the same areas in May, as emphasized in the letters of the Benadir Administration to the Security Council. In all those cases, the aim was to bolster factions that Ethiopia supports.

The Ethiopian regime established a military training camp in Bulahow, inside Somalia, early last year to train "favoured" factions. This represented the institutionalization of a training programme that had been going on for the previous two years in different parts of Somalia. Again, these acts were aimed at exacerbating factional in-fighting in Somalia.

Ethiopia has long since violated Security Council resolution 733 (1992) calling for an arms embargo against the Somali factions. In 1997, Ethiopia supplied several shipments of arms and training to the Somali National Front (SNF) as a "counterweight" to other groups. In 1998, Ethiopia again supplied several shipments of arms, both through the port of Bosaso and by land, to Somali factions under its tutelage, provoking repeated protests from "Somali-land", the Benadir Administration and other major factions. On 3 April 1999,

the Associated Press reported that "several lorries of assorted weapons were delivered by Ethiopia to Hussein Haji Bod". On 5 May, the British Broadcasting Corporation and Reuters reported that "Ethiopia has supplied arms and ammunition in military plans to the port city of Kismayo to forces opposed to Aideed", and that "Ethiopia had previously trucked arms to other anti-Aideed forces at the town of Belet Uen". In a similar vein, the leader of Somali-land, Mr. Egal, lamented to the Standing Committee in Somalia that visited Hargeisa in December last year that "whether the Committee refuses to accept or not, aircraft loaded with arms and ammunition are landing regularly in Kalkayo in Kismayo and in several airports of central Shebelle area". This was a clear reference to Ethiopia's duplicity, as the areas in question are areas controlled by factions supported by Addis Ababa.

Ethiopia has been doggedly pursuing this pattern of intermittent incursion into Somalia and continuous supply of arms to different factions at different times in order to achieve the following overriding policy aim: the Tigre People's Liberation Front (TPLF) regime does not want any central authority to emerge in Somalia. Its pronounced policy is the creation of clan-based mini-States so as to manipulate a weak and divided Somalia.

This obsession has compromised its neutrality and the mandate that Ethiopia was entrusted with by the Intergovernmental Authority on Development (IGAD) to promote national reconciliation and peace in Somalia. The Sodere Conference, which excluded some of the key players in Somalia, was a disappointment to IGAD. Ethiopia's failure to redress this mistake in the subsequent period, giving rise to a proliferation of initiatives that were not coordinated, finally impelled some IGAD member States to recommend, at the Summit held in Djibouti in March 1998, that the initiative be carried out under the auspices of the Chairman and the secretariat of IGAD.

Ethiopia's pretext that its actions in Somalia are dictated by its security needs of containing "terrorist incursions" and its accusation that "Eritrea is working hand-in-glove" with terrorist groups is preposterous and a pure fabrication. Indeed, Eritrea has been, and continues to be, at the forefront in the regional efforts to combat terrorism emanating from fundamentalist and extremist groups. Eritrea has not, in fact, compromised its principled position to dally with and accommodate terrorist groups or their sponsors for tactical and short-term gains, as has sadly been the case with Ethiopia.

At any rate, Eritrea believes that regional terrorism can only be contained and combated through concerted action by the countries of the region. In this spirit, it has not spared any effort to promote regional cooperation towards that end.

In conclusion, Eritrea's track record establishes without doubt that it has no vested interest in destabilizing Somalia. On the contrary, Eritrea has been consistently working to promote national reconciliation of the Somalis, without partiality or preference towards selected factions on the basis of narrow self-interest.

Similarly, Eritrea has no desire or sinister design to use Somalia as a battleground for a "proxy war" with Ethiopia. Eritrea firmly believes that the

Somali problem is one of the fundamental security problems in the region. Its solution depends primarily on the Somali people themselves, although it will undoubtedly be enhanced and accelerated by the concerted and constructive efforts of all the countries of the region. Thus, even if Ethiopia has a long border with Somalia, this cannot be used as a pretext to give it a free hand to aggravate the conflict in Somalia, which will have obvious consequences for the stability of the Horn of Africa region.

In the circumstances, the right course of action for Ethiopia is to refrain from its continuous acts of destabilization of Somalia in pursuit of its narrow interests, which are contrary to the interests and aspirations of the region and in contravention of international law and the relevant resolutions of the Security Council.

(Signed) Haile WELDENSAE
Minister for Foreign Affairs

UNITED NATIONS **S**

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27 May 1999

ORIGINAL: ENGLISH

LETTER DATED 27 MAY 1999 FROM THE PERMANENT REPRESENTATIVE OF INDONESIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Indonesia has taken note with interest of the timely submission of the report of the Secretary-General on the question of East Timor (S/1999/595), in accordance with paragraph 8 of Security Council resolution 1236 (1999). During the visit of the United Nations assessment team to East Timor, upon which the report is based, Indonesia spared no effort to render full cooperation to the team, including providing the necessary facilities for the deployment of the proposed United Nations Mission in East Timor (UNAMET). It is pertinent to observe that the team's findings acknowledged the forthcoming and fruitful cooperation extended by the Government of Indonesia in this regard.

At this time, Indonesia will refrain from making detailed observations on the report of the Secretary-General. However, it would like to point out certain aspects.

(a) With regard to the situation on the ground, the above-mentioned report depicts an imbalanced picture of the prevailing realities. It would be misleading to state that the security situation in East Timor is a result of the continuation of acts of violence and intimidation perpetrated solely by one segment of society. The reality is that such violence has been committed by both sides. For example, the report is silent on the killing of four soldiers of East Timorese origin on 16 May 1999 in Bobonaro's Lolote district when they were ambushed by anti-integration elements. Also a brutal killing took place when a serviceman in the Baucau district was axed to death in his own house while the perpetrators fled after spraying the neighbourhood with bullets and torching three other houses. In addition, the cases of intimidation, harassment and violence by anti-integration elements against teachers, nurses and doctors are well chronicled, thereby hampering their much-needed services in East Timor. This is not to justify or to excuse the perpetration of such acts by any one side for they are unacceptable under any circumstances. Rather, it is a mere description of facts; needless to say, acknowledgement of this reality should be stressed, as a balanced report is crucial for progress to be made in establishing an atmosphere conducive to the holding of the popular consultation.

(b) Furthermore, Indonesia rejects unsubstantiated allegations based on the beliefs of observers, whose sources of information are unverifiable,

suggesting acquiescence by elements of the Indonesian army in the acts of the so-called militias. There are now many United Nations officials in East Timor and the report, therefore, should be based on their information and not on the beliefs of so-called observers. Indonesia considers these charges to be highly serious; they should not be made lightly. The commitment of the Government of Indonesia to the 5 May 1999 agreements is unequivocal and it is determined to see through the successful implementation of those agreements. The serious intent of the Indonesian Government to fulfil its commitment is also evidenced by the establishment of a special task force at the ministerial level on 11 May 1999, to monitor and ensure the safe and peaceful implementation of the popular consultation to be held under United Nations auspices. This task force is headed by the Coordinating Minister for Political Affairs, and its members consist of the Minister for Foreign Affairs, the Minister for Home Affairs, the Minister for Defence/Chief of the Armed Forces, the Minister for Justice, the Chief of the National Police and the Head of the National Intelligence Coordinating Agency.

(c) As is well known, the Commission on Peace and Stability was established in Dili, on 21 April 1999, in response to the need to secure a conducive environment to hold the popular consultation. Thus, to portray a scenario, as contained in the said report of the Secretary-General, of the inability of anti-integration groups to participate freely in the Commission is misleading. In this regard, it is pertinent to note that the Minister for Foreign Affairs, Mr. Ali Alatas, held a meeting on 15 May 1999 with both pro-integration and anti-integration groups to explain the substance of wide-ranging autonomy as contained in the 5 May 1999 agreements, as well as to provide an opportunity for both sides to freely express their views. They were not apprehensive about attending that meeting.

Concurrently, the Indonesian Government has consistently extended its support to the holding of a reconciliation meeting among the various segments of East Timorese society, as proposed by the Bishop of Dili, to promote harmony and cooperation, thereby contributing to a tranquil and peaceful environment in East Timor.

These efforts by Indonesia reflect its firm support for the effective functioning and successful implementation of the proposed mandate of UNAMET in East Timor.

Indonesia requests that the Security Council should take into account the present letter and the forthcoming and fruitful cooperation extended by the Government of Indonesia as acknowledged by the Secretary-General in his report.

It would be highly appreciated if you could circulate this letter as a document of the Security Council.

(Signed) Makarim WIBISONO
Ambassador
Permanent Representative

UNITED NATIONS **S**

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LETTER DATED 26 MAY 1999 FROM THE PERMANENT REPRESENTATIVE OF TOGO TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith the text of the Final Communiqué of the Meeting of Ministers for Foreign Affairs of the States members of the Economic Community of West African States (ECOWAS), held at Lomé on 24 and 25 May 1999, which was devoted to the consideration of the situation in the Niger, in Guinea-Bissau and in Sierra Leone.

I should be most grateful if you would have the text of this letter and its annex circulated as a document of the Security Council.

(Signed) Roland Y. KPOTSRA

99-15895 (E) 280599 280599

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Annex

[Original: English and French]

Final Communiqué of the meeting of Ministers of Foreign Affairs held at Lomé 24 and 25 May 1999

INTRODUCTION

1. The ECOWAS Ministers of Foreign Affairs met in Lomé on 24 and 25 May 1999 to consider the situation in Niger, Guinea-Bissau, and Sierra Leone, following the recent events that occurred in those Member States.

2. The Ministers of Foreign Affairs or their duly accredited representatives from the following Member States were present at the meeting :

   - Republic of Benin
   - Burkina Faso
   - Republic of Cape Verde
   - Republic of Côte d'Ivoire
   - Republic of Ghana
   - Republic of Guinea
   - Republic of Guinea-Bissau
   - Republic of Liberia
   - Republic of Mali
   - Republic of Niger
   - Republic of Senegal
   - Republic of Sierra Leone
   - Togolese Republic

3. The following organisations also attended the meeting as observers:

   - United Nations Organisation (UN) ;
   - Organisation of African Unity (OAU).

4. A list of participants is attached as an annex.*

5. The meeting observed a minute of silence in memory of the late Ibrahim Maïnassara BARE, President of the Republic of Niger.

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* Not included in the present document.

6. The Ministers reviewed the political situation in Niger, Guinea-Bissau and Sierra Leone, and stressed the importance of democracy as a factor of regional peace and security, which are essential to the socio-economic development of ECOWAS Member States. The Ministers pledged the commitment of their Member States to the consolidation of democracy and respect of human rights. The meeting reaffirmed the need for all Member States to consolidate their democratic base, observe the principles of good governance and good economic management in order to ensure the emergence and development of a democratic culture which takes into account the interests of the peoples of West Africa. The Ministers therefore welcomed the advent of a democratically elected civilian government in Nigeria as a major political event which holds out high new hopes for regional peace and stability.

7. The meeting recalled the relevant provisions of the Declaration of the OAU Heads of State and Government condemning political assassinations. It expressed the view that no coup d'état, let alone a political assassination, could be justified by any situation, however unbearable it might be.

8. The Ministers recommended that in future meetings of Foreign Ministers be convened promptly whenever a Member State is faced with serious crises.

9. The meeting expressed satisfaction at the progress made in the preparation and implementation of the ECOWAS Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Regional Security and requested the Executive Secretary to finalise the formulation of the relevant protocols within the shortest time possible.

10. The Ministers agreed on the following measures concerning Niger, Guinea-Bissau and Sierra Leone.

MEASURES CONCERNING NIGER

11. The meeting unreservedly condemned the coup d'état which led to the assassination of the democratically elected President of Niger on Friday 9 April 1999.

12. It stressed the need for an independent committee of enquiry that would look into the circumstances surrounding the death of President Ibrahim Maïnassara Bare and submit a report to the Niger authorities and to the ECOWAS Executive Secretary as soon as possible.

13. The Ministers took note of the pledge made by the Niger authorities to do everything possible to ensure the success of the on-going transition programme by organising democratic and fair elections by November 1999. They requested the Executive Secretary to lend active support to the electoral process.

14. The meeting recommended to the Executive Secretary to participate, in line with the provisions of Article 58 (g) of the Revised Treaty, in the preparation and supervision of the elections scheduled to take place in Niger under the transition programme.

15. The meeting agreed on the need to assist Niger to restore constitutional order. They, therefore, appealed to the political parties in Niger to face up to their responsibilities and obligations in the process.

MEASURES CONCERNING GUINEA-BISSAU

16. The meeting condemned the coup d'état which led to the overthrow of the democratically elected President of the Republic of Guinea-Bissau. The Ministers stressed that the coup d'état was contrary to the Abuja and Lomé Agreements.

17. The Ministers also condemned the killings, looting and destruction of property belonging to both nationals and foreigners, in particular foreign diplomatic missions.

18. They requested the new leadership to grant safe passage to President Vieira and his family from the Portuguese Embassy where they have taken refuge to any country of their choice. They also requested that political detainees if any be released.

19. The meeting expressed its gratitude to the ECOWAS Member States who had contributed troops to ECOMOG, as well as to the foreign countries that had provided logistical support to the West African force. The Ministers commended the ECOMOG soldiers for their courage and composure during the putsch.

20. The meeting took note of the request made by the Minister of Foreign Affairs of Guinea-Bissau on behalf of her Government for ECOMOG to remain in Guinea-Bissau until the forthcoming elections are held. However, in view of the new developments on the ground and the difficulties encountered in financing the operations, the meeting agreed that ECOMOG be withdrawn from Guinea-Bissau.

21. The Ministers further agreed on the need for the Committee of nine to monitor closely the situation in Guinea-Bissau, as well as the observance by the new leadership, of its commitments.

MEASURES CONCERNING SIERRA LEONE

22. The meeting was informed of the pending negotiations in Lomé between the Government of Sierra Leone and the RUF. It observed that the developments in Sierra Leone were generally positive and expressed satisfaction that a Ceasefire Agreement had been signed in Lomé on 18 May 1999. The Ministers called on the parties to find a peaceful solution to the crisis, notwithstanding the complexity of the problems.

23. In view of the fact that the resolution of the crisis depended first and foremost on the people of Sierra Leone, they launched an urgent appeal to all parties to demonstrate flexibility and a spirit of compromise and conciliation.

24. The meeting also appealed to the parties in the conflict to create an environment conducive to the observance of the ceasefire so as to facilitate the deployment of the additional UN observers. To this end, they expressed their appreciation to the United Nations Secretary-General for having despatched a team to assess the logistical support needed for the deployment of the additional observers.

25. The meeting was informed of the recent incursion of Sierra Leonean rebels into Guinean territory, where numerous atrocities were perpetrated and property destroyed. It condemned such attacks against a Member State already faced with enormous ecological, economic, security and political problems caused by the influx of hundreds of thousands of refugees into its territory.

26. The meeting recommended that the meetings of the Committee of Seven be held on a more regular basis.

27. The Ministers appealed to the international community to provide ECOWAS with the necessary material and financial assistance to facilitate rapid resolution of the crisis in Sierra Leone. To this end, the meeting agreed that an ECOWAS ministerial delegation be despatched to the Secretary-General, the United Nations Security Council and certain developed countries to brief them on the recent situation in Sierra Leone and on the need for adequate funding for ECOWAS conflict prevention, management and resolution operations.

28. The Ministers also appealed to the international community to increase its humanitarian assistance to Sierra Leone to enable the Government tackle effectively the enormous humanitarian need created by the conflict.

ANY OTHER BUSINESS

29. The Ministers acknowledged the importance of the rationalisation of West African inter-governmental organisations in the regional integration process. They, therefore, commended the decision taken by the ECOWAS Council of Ministers to harmonise the co-operation programmes undertaken by the West African IGOs in the economic and health areas. The Ministers encouraged the ECOWAS Executive Secretary and the Secretary-General of ANAD to rationalise the activities of their respective organisations to enable ANAD to become a specialised institution of ECOWAS for cross-border crime control, thereby avoiding any duplication between the organisations in the area of peacekeeping, ECOWAS being the only institution in West Africa responsible for the assignment.

30. The meeting underlined the need for all Member States to ratify and implement without delay the Protocol on the Community Levy so as to enable ECOWAS to obtain adequate financial ressources for its activities. The ECOWAS Ministers of Finance were, therefore, urged to pay the proceeds of the levy into the ECOWAS accounts opened for the purpose.

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LETTER DATED 25 MAY 1999 FROM THE PERMANENT REPRESENTATIVE OF TAJIKISTAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On the instructions of my Government, I have the honour to transmit herewith the text of a statement by the Government of the Republic of Tajikistan of 25 May 1999 (see annex).

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the Security Council.

(Signed) Rashid ALIMOV
Ambassador
Permanent Representative of
the Republic of Tajikistan
to the United Nations

99-15761 (E) 270599 270599

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Annex

Statement issued by the Government of Tajikistan on 25 May 1999

[Original: Russian]

From the day Tajikistan attained independence, its people have lived in the hope of building a new and just society based on lasting peace, economic prosperity and social protection for all segments of the population - a society in which all citizens would be guaranteed a life with dignity marked by respect and pride in their country.

The Tajik people, which is fully acquainted with the horrors of civil war, found the internal strength and courage to stop the bloodshed when it found itself on the brink of an abyss in which Tajikistan could have no future - only chaos, self-destruction and the vanishing of the Tajik State from the map.

Now that Tajiks have fully realized that we are one people and one country and that through this unity we symbolize the renewed society of an independent, sovereign and democratic Tajikistan, they await concrete steps and actions from the Government and the former United Tajik Opposition (UTO) which will truly embody all the hopes and aspirations of the Tajik people, chief among which are peace and the prosperity of their homeland.

Under the direct leadership of President Emomali Sharipovich Rakhmonov, the Government of Tajikistan, as of 16 November 1992, proclaimed the main doctrine of its domestic and State policy: the achievement of comprehensive peace and national harmony on Tajik soil and the stable development of society and the State. The fruit of this policy was the signing in Moscow on 27 June 1997 of the General Agreement on the Establishment of Peace and National Accord in Tajikistan.

Despite all the complications that stood in the way of the peace process, it must be acknowledged that in record time, thanks to the efforts, initiative and direct participation of the President, a major effort was made and continues to be made to implement fully the General Agreement and reform the Government. Parliamentary decrees on amnesty have been enacted; all refugees and displaced persons have returned to their homes and are actively participating in the work of transforming the country; work on amending and expanding the Constitution is being completed, providing for the establishment of a permanent functioning bicameral parliament, despite all the financial and economic difficulties; legislation on political parties and social movements has been passed; UTO armed formations are being reintegrated in the country's armed forces; and many other steps are being taken.

The Government greatly appreciates the role the former United Tajik Opposition has played in the establishment of peace and the development of the peace process in Tajikistan.

At the same time, the Government considers unacceptable the methods recently employed by the UTO representatives on the National Reconciliation

Commission consisting of demands that are, as a rule, unwarranted and take the form of ultimatums. In the first place, they run counter not only to the underlying principles and provisions of the General Agreement but also to the obligation taken on by the parties to refrain from accusing each other in public. Secondly, they lead the Tajik people away from constructive pursuits and towards demagogic discussions that are highly dangerous to the peace process, with the UTO focusing on the securing of posts and the "distribution of portfolios".

The Government was led to this conclusion by the actions of the UTO leadership and, above all, of the Chairman of the National Reconciliation Commission after thoroughly analysing their many recent statements, including the statement given by Mr. Nuri immediately after his return to Dushanbe from Iran, in which the Government was accused of delaying the settlement of a series of military and political issues. However, it should be noted that Mr. Nuri was himself absent from Tajikistan for more than two months in the past year alone, virtually bringing the work of the Commission to a standstill. While calling for the legalization of parties and the information media, the UTO has not fully honoured all the commitments it made on military questions, which also goes against the provisions of the General Agreement. Fulfilling its obligations, the Government has removed roadblocks, while in Darband, Tavildara and several other districts armed formations under UTO command remain active and continue to control the roads. To date, UTO troops have not been integrated or deployed in agreed locations, and a large quantity of weapons is not to be found in the storage places specified in the agreements.

While there are many more such examples, the Government considers it necessary to refrain from mutual recriminations and the use of ultimatums.

Being in strict compliance with the provisions of the General Agreement and with the obligations it has assumed, the Government of Tajikistan has repeatedly drawn the attention of the UTO representatives on the National Reconciliation Commission to the need for a comprehensive approach to the problems which do in fact arise in the process of implementing the peace agreement owing to their newness and complexity.

On the basis of the foregoing, the Government states the following:

- We are in favour of speeding up the peace process in all areas defined in the General Agreement, but that process must proceed on the basis of strict compliance with all norms of the Constitution of the Republic;

- We are in favour of elections in due course, which means that the referendum on amending the Constitution should be held soon;

- We advocate the free will of the people, which means the supremacy of opinions expressed through a referendum and not through the dictatorship of any party or ideology.

The Government of Tajikistan calls upon all political parties and movements in Tajikistan, international organizations and countries-guarantors to display utmost understanding and show the utmost support for the peace process in Tajikistan.

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GENERAL ASSEMBLY
Fifty-third session
Agenda items 41, 55, 76 and 149
THE SITUATION IN BOSNIA AND HERZEGOVINA
IMPLEMENTATION OF THE RESOLUTIONS OF THE UNITED NATIONS
STRENGTHENING OF SECURITY AND COOPERATION IN THE MEDITERRANEAN REGION
UNITED NATIONS DECADE OF INTERNATIONAL LAW

SECURITY COUNCIL
Fifty-fourth year

Letter dated 27 May 1999 from the Permanent Representatives of Bosnia and Herzegovina, Croatia, Slovenia and the Former Yugoslav Republic of Macedonia to the United Nations addressed to the Secretary-General

Upon instructions from our respective Governments, we have the honour to bring to your attention the resolution on the status of Yugoslavia in the Ramsar Convention, which regulates the status of the former Socialist Federal Republic of Yugoslavia and its five successor States in the Convention (see annex). The resolution represents the first decision taken by a treaty body on this issue, and reflects the consensual legal and political position of the Contracting Parties, and therefore, we believe, it has relevance for similar and still pending situations. The resolution was adopted by consensus at the 7th Meeting of Contracting Parties to the Ramsar Convention, which was held from 10 to 18 May 1999 in San José, Costa Rica. The Ramsar Convention has 114 Contracting Parties, and its depositary is the Secretary-General of the United Nations Educational, Scientific and Cultural Organization.

The status of the former Socialist Federal Republic of Yugoslavia and its five successor States in the Ramsar Convention has been formally regulated on the basis of facts previously well established by the international community, i.e., that the former Socialist Federal Republic of Yugoslavia has dissolved and ceased to exist, and that it has been replaced by five successor States, none of which continues the international legal personality of their common predecessor.

Relevant rules of general international law relating to the succession of treaties in the case of the dissolution of a predecessor State - namely, that

all successor States have equal rights and obligations vis-à-vis a predecessor State and should consequently be treated equally and that all successor States in general continue to be bound by treaty obligations of predecessor State but do not enjoy the status of their predecessor in treaties unless they have deposited a notification on succession - were applied to the aforementioned facts. The two successor States to the former Socialist Federal Republic of Yugoslavia that had not established their status as Contracting Parties in the Ramsar Convention have been requested, if they wish to be considered as Contracting Parties, to do so in the same manner as the other three successor States have done.

Our respective Governments believe that you should, in your capacity as depositary of international treaties, note and give due consideration to the consensual position of the Contracting Parties to the Ramsar Convention on the legal issue of the status of the five successor States to the former Socialist Federal Republic of Yugoslavia to a treaty to which that State had been a Contracting Party before it dissolved and ceased to exist.

We should like to ask your assistance in circulating the present letter and its annex as a document of the General Assembly under agenda items 41, 55, 76 and 149, and of the Security Council.

(Signed) Muhamed SACIRBEY
Ambassador
Permanent Representative of
Bosnia and Herzegovina

(Signed) Naste ČALOVSKI
Ambassador
Permanent Representative of
the Republic of Macedonia

(Signed) Ivan ŠIMONOVIĆ
Ambassador
Permanent Representative of
the Republic of Croatia

(Signed) Danilo TÜRK
Ambassador
Permanent Representative of
the Republic of Slovenia

Annex

Resolution on the status of Yugoslavia in the Ramsar Convention, adopted by the 7th Meeting of the Conference of the Contracting Parties to the Convention on Wetlands (Ramsar, Islamic Republic of Iran, 1971), held at San José from 10 to 18 May 1999

Sponsored by Albania, Croatia, the Czech Republic, Pakistan, Slovenia, Turkey, the United States of America and Uruguay.

1. Referring to COP7 DOC.23 on the status of Yugoslavia in the Convention;

2. Noting that the Contracting Party, "The Socialist Federal Republic of Yugoslavia" has ceased to exist and has been replaced by five successor States;

3. Taking into account that successor States in general continue to be bound by the treaty obligations of the predecessor State; and

4. Acknowledging that three of the successor States are Contracting Parties;

The Conference of the Contracting Parties

5. Calls upon Bosnia and Herzegovina and the Federal Republic of Yugoslavia to submit to the depositary a notification of succession to the Ramsar Convention as the other successor States have done.

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ORIGINAL: ARABIC

LETTER DATED 26 MAY 1999 FROM THE PERMANENT REPRESENTATIVE OF KUWAIT TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to refer to the letter dated 11 May 1999 from the Permanent Representative of Iraq to the United Nations addressed to you (S/1999/540), in which it is alleged that on 6 and 7 April 1999 Kuwaiti patrols searched several Iraqi craft inside Iraqi territorial waters and confiscated the papers of those on board.

I should like to state that the allegations made by Iraq in this letter are no more than a rehearsal of the unreal fabrications to which it has persistently sought to give currency. The fact of the matter is that at 1610 hours on Tuesday, 6 April 1999, Coast Guard patrols performing their customary duties in the northern sector of Kuwait's territorial waters observed a group of Iraqi fishing boats inside those waters at channel 160, 8 nautical miles from Ra's al-Qayd, and that they were then asked to leave Kuwaiti territorial waters.

The relevant Kuwaiti authorities categorically deny Iraq's allegations. They affirm that it is impossible to believe assertions that are merely a perversion of the facts and are part and parcel of a policy based on provoking crises and heightening tension in the area.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Mohammad A. ABULHASAN
Ambassador
Permanent Representative

99-15871 (E) 280599 280599

UNITED NATIONS **S**

Security Council

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27 May 1999
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LETTER DATED 27 MAY 1999 FROM THE PERMANENT REPRESENTATIVE OF THE RUSSIAN FEDERATION TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit herewith the text of a statement issued on 27 May 1999 by the Ministry of Foreign Affairs of the Russian Federation (see annex) concerning the indictment of several senior political and military leaders of the Federal Republic of Yugoslavia by the International Tribunal for the Former Yugoslavia. I should be grateful if you would have the text of this letter and its annex circulated as a document of the Security Council.

(Signed) Sergey LAVROV

99-15809 (E) 270599 270599

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Annex

Statement issued on 27 May 1999 by the Ministry of Foreign Affairs of the Russian Federation

The decision by the prosecutor of the International Tribunal for the Former Yugoslavia, Louise Arbour, to indict five senior political and military leaders of the Federal Republic of Yugoslavia, including the President of the Federal Republic and the President of Serbia, can only be viewed as being motivated by strictly political considerations.

The haste with which the prosecutor conducted the entire investigation and reached this categorical conclusion is astonishing, even though it is quite clear that in view of the current situation in and around Yugoslavia such decisions require exceptional thoroughness and care.

It can hardly be coincidental that such a step was taken at the very time that negotiations on a settlement of the Kosovo problem are entering their most crucial phase. As a result, the negotiating process has been significantly complicated.

At the same time Louise Arbour remains surprisingly passive in the face of the obvious fact of the aggression by NATO against Yugoslavia and looks indifferently on the consequences of two months of relentless bombing in that country. She remains untouched by the deaths of hundreds of completely innocent persons, the destruction of the country's economic and social infrastructure, the reduction of historic monuments to rubble and the approaching environmental disaster. Was it not the prosecutor's concern to look into who gave the order to inflict the massive strikes which are having such awful consequences? Unfortunately, Louise Arbour is entirely silent on all these questions, which hardly testifies to her impartiality.

Russia is continuing its efforts to find a just political settlement, and to that end will work even harder with all necessary parties, including Yugoslavia. This is consistent also with the role that the international community has entrusted to Russia in resolving the current crisis in the Balkans.